

REGULAR MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Monday, May 24, 2010

CALL TO ORDER. Following due call and notice thereof, Mayor Burns called the meeting to order at 6:00 p.m. in the Council Room, City Hall.

ROLL CALL. Members present: Mayor Robert H. Burns; Council Members: Randi Vick, Peggy Perry, Robert Lemke, and Tom Murphy. Members absent: None. Consultants and City staff present: City Clerk/Administrator Jennifer Feely and Administrative Coordinator Mike Gerardy. Visitors present: Caledonia Argus Reporter Charlie Warner.

AGENDA APPROVAL. The following item was added to the agenda for discussion: police activity report. A motion was made by Member Lemke, seconded by Mayor Burns to add the above-mentioned item to the agenda. All members voted in favor and the motion was declared carried.

CONSENT AGENDA. A motion was made by Member Vick, seconded by Member Perry to approve the Consent Agenda item, listed below. All members voted in favor and the motion was declared carried.

A. MINUTES OF PAST MEETINGS. To approve the minutes of the Regular Meeting held Monday, May 10, 2010, as presented.

VISITORS AND COMMUNICATIONS.

A. EXPERIENCE WORKS PRESENTATION. Gary Barum, Employment and Training Assistant with Experience Works, was in attendance to discuss ways in which the City might be able to work with the non-profit organization. Mr. Barum explained that Experience Works helps low-income seniors, with various barriers to employment, get the training they need to find good jobs in their communities. Discussion ensued. Mayor Burns wrapped up discussion by stating that the City will share this information with department heads in an effort to determine what, if any, needs exist in which the City could become an Experience Works host agency.

B. CITY ACCOUNTANT TOPICS.

1. CASH AND INVESTMENT BALANCE. City Accountant Stephanie Mann was in attendance to report that as of April 30, 2010, the total cash balance was \$417,633.09 and the total investment balance was \$2,798,900. Mann reported that she is still working with Mike Davy to arrive at an accurate meter count and anticipated that the City should receive recommendations by late summer for rate increases. Member Perry noted that the City should be implementing an incremental sewer increase annually. Member Vick inquired as to when the City will be implementing an electric rate increase. Mann replied that the new increase would be effective July 1. Discussion ensued.

2. 2010 BUDGET WORKSHEET. Mann reviewed the budget worksheet which showed the line item detail of revenues and expenditures through April 30, 2010. Member Murphy inquired as to when adjustments are made. Member Murphy also inquired about the figure budgeted for workmen's compensation.

C. ADMINISTRATIVE COORDINATOR TOPICS.

1. CITY VAN UPDATE. Administrative Coordinator Mike Gerardy and City Electrician Matt Blocker were in attendance to provide an update as to the progress made in soliciting bids for a used van. Gerardy noted that the two quotes will be available for review at the June 14 meeting.

2. 2010 ELECTRICAL PROJECT. City Electrician Matt Blocker distributed a handout showing various additional components that have been added to the 2010 Electrical Project. Discussion ensued. The anticipated start date of the project is June 7.

3. CARPET CLEANING UPDATE. Administrative Coordinator Mike Gerardy shared that the recent carpet cleaning at City Hall went well.

4. WEEKEND MAINTENANCE AT THE PARK-HOURS. Mayor Burns inquired about the amount of hours spent performing weekend maintenance at the park.

D. COMMUNICATIONS.

1. LMC Friday Faxes dated May 14, 2010.
2. Caledonia Community Celebrations Letter dated May, 2010.
3. Ace Communications Notice of Changes to Channel Lineup dated May, 2010.

OLD BUSINESS

A. CONCESSION STAND OPERATOR. City Clerk/Administrator Feely shared that the Park and Rec Committee recently interviewed two individuals to operate the concession stand at Veterans Memorial Field. It was noted that the interviews took place on May 12 and since that time, the interested individuals have withdrawn their names for consideration due to various reasons. Feely stated that Mark Krause, who ran the stand in 2009, recently notified the City that he might be interested in operating the stand during the upcoming season. It was noted that whoever runs the stand will have to comply with the operator responsibilities previously approved by the city council. A motion was made by Mayor Burns, seconded by Member Vick to allow Mark Krause to operate the concession stand, contingent upon agreement to comply with operator responsibilities. All members voted in favor and the motion was declared carried.

B. COMPETITIVE BIDDING REQUIREMENTS. At the May 10 meeting, a question arose as to the competitive bidding requirements regarding soliciting quotes for a used vehicle. City Clerk/Administrator Feely shared, for informational purposes, that if the contract is expected to be \$25,000 or less, council has the discretion to make the contract by obtaining quotes or buying or selling the item on the open market. If council chooses to obtain quotes, then at least two must be obtained and kept on file for at least one year.

C. POLICE RESERVE OFFICER COMPENSATION. At the May 10 meeting, a question arose as to whether or not Police Reserve Officers are compensated when called for duty. City Clerk/Administrator Feely noted that no position description or by-laws could be located at City Hall stipulating when police reserve officers are to be compensated. Member Vick suggested contacting Jason Leahy with the police reserves to see if they have by-laws containing this information.

D. BRIMEYER GROUP INVOICE. At the May 10 meeting, a question arose as to whether there was a misunderstanding with respect to the invoice received for the recent on-boarding session. City Clerk/Administrator Feely reported that the City was not charged for any services provided during the on-boarding session other than mileage.

E. FIRE DEPARTMENT ITEMS. Attached with the agenda were the following items: (1) Email from the League of Minnesota Cities Insurance Claims Supervisor Jim Boonstra Regarding Replacement of Damaged Turnout Gear; (2) Quotes to Replace Turnout Gear; and (3) Fire Department New Hires/Resignation List. Fire Chief Chuck Gavin noted that with the addition of the new fire fighters, the department will have 32 members. A motion was made by Member Lemke, seconded by Member Perry to accept the retirements of Mike Meyer and Dan Schwartz, the hiring of Kurt Zehnder, Derrick Frank, and Kevin Bulman, and acknowledge a leave of absence for Nathan Speltz and Zach Gengler. All members voted in favor and the motion was declared carried.

F. 2010 ELECTRICAL PROJECT INVENTORY INVOICES. At the May 10 meeting, discussion took place concerning how the council wished to review and approve invoices received for the electrical project. City Clerk/Administrator Feely noted that she contacted Tom Nigon with Power Plus Engineering and requested that he review all invoices the City receives in an effort to compare invoice quantity and price to the original quotation. All future invoices will be forwarded to Mr. Nigon for his review and approval before payment is made.

G. EDA RECOMMENDATION. The EDA committee recommends to the City Council that City Attorney Tim Murphy continue trying to meet with a representative of the former school property in an effort to discuss corrective action to remove hazardous conditions.

H. LICENSING PEDDLERS AND SOLICITORS. At the May 10 meeting, a question arose as to whether individuals selling produce are required to obtain a peddlers permit from City Hall. City Clerk/Administrator Feely noted that according to §110.03(G)(1) of the Caledonia Code of Ordinances, no license is required for individuals selling produce. Mayor Burns inquired about individuals selling furniture at farmer's markets and whether they should be required to obtain a permit. Member Vick asked about service groups going door to door with pamphlets and soliciting donations. Member Perry asked if it would be possible to create a card in which the peddler could carry with them showing that they have been licensed by the City. Discussion ensued. Feely noted that the City does not currently have any sort of application on file to license peddlers, solicitors, or transient merchants as stipulated per the City's ordinance dealing with peddlers and solicitors. Feely will work on drafting a proposed application and present at an upcoming meeting for council's review and approval.

I. **USE OF CITY FACILITIES.** At the May 10 meeting, discussion took place regarding what other cities require for rental agreements and liability coverage with respect to the use of city facilities. City Clerk/Administrator Feely noted that she has since gathered several rental agreements from other entities and is currently researching how many require proof of liability insurance before using city facilities. A proposed rental agreement will be presented at an upcoming meeting for review and consideration.

J. **CITY EMPLOYEE COMPENSATION FOR EMERGENCY CALLS DURING WORKING HOURS.** A question arose at the May 10 meeting regarding whether City employees are compensated twice for time spent responding to emergency calls. City Clerk/Administrator Feely reported that in the absence of a personnel policy, the employee association labor agreement was reviewed and found that there is no such language included in the agreement addressing this compensation issue. Member Lemke noted the importance of allowing employees to respond to emergencies during the workday as it is sometimes difficult to have enough crew members available to respond to calls which occur during this time. Member Perry concurred and recommended that a policy be developed to address this issue so compensation is fair for all parties involved.

K. **LAPTOP PRICING.** At a previous meeting, discussion ensued regarding obtaining pricing for a laptop which could be used by City staff at City Hall. Attached with the agenda was pricing from various vendors. No action was taken; however, this information will be useful for planning purposes as work on the 2011 budget gets underway.

NEW BUSINESS

A. **2010 MIPH GRANT OPPORTUNITY.** Attached with the agenda was an announcement from the Minnesota Institute of Public Health (MIPH) regarding the 2010 Enforcing Underage Drinking Laws grant opportunity. The grant provides funding for alcohol compliance checks and underage drinking enforcement activities. It was noted that Officer Allan Johnson is currently working on submitting an application. The consensus of the council was to submit an application so long as all grant requirements could be met.

B. **LEAGUE OF MINNESOTA CITIES CONFERENCE REQUEST.** A motion was made by Mayor Burns, seconded by Member Perry to authorize City Clerk/Administrator Feely to attend the upcoming League of Minnesota Cities Annual Conference to be held June 23-25 in St. Cloud. Member Vick requested that Feely contact surrounding clerks to see if there would be an opportunity to carpool and reduce mileage costs. All members voted in favor and the motion was declared carried.

C. **FREE LIQUOR LICENSING TRAINING CLASS.** A motion was made by Mayor Burns, seconded by Member Perry authorizing Jennifer Feely, Jessica Kohnen, and Kurt Zehnder to attend the upcoming free liquor licensing training in Hokah which will be put on by the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division. All members voted in favor and the motion was declared carried.

D. **AUTHORIZATION TO ADMINISTER COUNTY-WIDE ASSISTANCE TO FIREFIGHTERS GRANT.** Fire Chief Chuck Gavin and Assistant Chief Matt Hoscheit were in

attendance to answer questions regarding the City of Caledonia administering the county-wide Assistance to Firefighters Grant if the application is awarded funding. A motion was made by Mayor Burns, seconded by Member Perry authorizing the City of Caledonia to serve as fiscal agent for county-wide Assistance to Firefighters Grant if awarded funding. All members voted in favor and the motion was declared carried.

E. **WORKERS' COMPENSATION RENEWAL.** The renewal paperwork for workers' compensation coverage recently arrived. A quote will likely be available for approval at the upcoming meeting.

F. **PROPOSED TIMELINE TO FILL THE WATER/WASTEWATER OPERATOR POSITION.** The City received over 30 applications for the water/wastewater operator position. A committee consisting of Member Murphy, Member Lemke, Water/Wastewater Supervisor Tony Klug and City Clerk/Administrator Feely will review and score the applications received. The committee will bring recommendations for at least five finalists to the full council for review. It was noted that interviewing will likely take place in late June. Mayor Burns suggested looking into a work schedule other than the typical Monday-Friday workweek in an effort to reduce overtime.

G. **AMBULANCE BILLING AGREEMENT.** Attached with the agenda was a notice which was recently received from Winona Area Ambulance Service notifying the City that the existing ambulance billing agreement, which is set to expire on June 20, 2010, will not be renewed as they are no longer interested in providing this service. Expert T Billing was contacted for a proposal to provide ambulance billing services. A proposal will be presented at the upcoming meeting.

H. **ORDINANCE TO CONDUCT CRIMINAL HISTORY BACKGROUND CHECKS FOR EMPLOYMENT AND LICENSE APPLICANTS.** City Clerk/Administrator Feely noted that upon review of the City's Peddler and Solicitor Ordinance, it was discovered that the City does not have an ordinance in place authorizing the police department to conduct background checks for employment or license applicants. If council wishes for the police department to conduct background checks for employment or license applicants, an ordinance will have to be passed to that effect. The consensus of the council was to proceed in having the City Attorney review the proposed ordinance and include in the upcoming packet for review and approval.

CLERK'S REPORT

A. **DISCHARGE MONITORING REPORT.** Attached with the agenda was a discharge monitoring report showing an average Nitrogen Level of 7.63 mg/L.

B. **EMPLOYEE TIME RECORD FOR PAY PERIOD MAY 3, 2010 – MAY 16, 2010.** Enclosed with the agenda was the Employee Time Record for pay period May 3, 2010 – May 16, 2010.

C. **STATE BUDGET UPDATE.** City Clerk/Administrator Feely shared with the council a handout from the League of Minnesota Cities providing a state budget update. According to the update, the Legislature recently passed a balanced budget that includes no additional cuts to

cities. For now, the total impact the City of Caledonia will suffer from Local Government Aid (LGA) and Market Value Homestead Credit (MVHC) reductions in 2010 is \$162,927. According to projections from the Minnesota Department of Revenue and the House Research Department, the estimated 2011 certified LGA for Caledonia is \$989,188 as compared to the original certified 2010 LGA of \$941,158. Member Murphy inquired about the City's ability to levy back lost 2010 aid.

D. MN ENERGY NATURAL GAS FRANCHISE ORDINANCE. City Clerk/Administrator Feely shared with the council that she recently visited with Rory Lenton, External Relations Manager with MN Energy Resources, regarding adopting a new natural gas franchise ordinance as the existing one is set to expire in July, 2010. Mr. Lenton plans to attend the July 12 meeting, at which time the proposed ordinance would be adopted. City Attorney Tim Murphy is currently reviewing the proposed ordinance and will be providing his recommendations before the final draft is presented to council for approval. Attached with the agenda was the existing and proposed natural gas franchise ordinances. Mayor Burns noted a concern with the proposed term of 25 years and stated that he would like to see it shorter. Member Murphy emphasized the need to include language which provides for stronger enforcement in the event the company does not perform satisfactorily or as stipulated in the agreement.

E. IMPORTANT UPCOMING ELECTION DATES. City Clerk/Administrator Feely shared with the council that for cities with no municipal primary election, the first day to file affidavits for candidacy for the November 2 general election will be on August 3. The filing period closes on August 17 at 5:00 p.m. The last day to file affidavits of withdrawal is August 19. The filing fee is set at \$2.00. The following offices will be included on the ballot: (1) 2-year Mayor Term and (2) 4-year Council Terms.

MISCELLANEOUS ITEMS.

A. POLICE OFFICER ACTIVITY LISTS. Member Murphy inquired as to why the Police Chief did not submit the monthly police officer activity list to the City Clerk's Office so that it could be included in the council packet. Member Murphy requested that this be included in the upcoming packet as council reviews this on a monthly basis.

B. ROTARY MEETINGS. Member Perry noted that part of being the city clerk/administrator is to network with community leaders as City Clerk/Administrator Feely inquired as to how council would like her to record the half hour spent at Rotary each Friday morning. The consensus of the council was to allow Feely to attend Rotary on Friday mornings on City time while Feely will be responsible for paying her membership dues.

CLOSED SESSION. The regular meeting was closed at 9:05 p.m. as permitted by Minnesota Statutes, section 13D.03, to discuss the City's labor negotiation strategy related to the City's negotiations with the Caledonia Police Association.

ADJOURNMENT. Following the closed session, Mayor Burns resumed the meeting at 9:49 p.m. A motion to adjourn was made by Member Vick, seconded by Member Perry. All members voted in favor and the motion was declared carried. The next regularly scheduled

meeting of the City Council is scheduled for Monday, June 14, 2010 at 6:00 p.m. in the Council Room, City Hall.

Robert H. Burns
Mayor

Jennifer Feely
City Clerk/Administrator